

House File 2451

H-8190

1 Amend the amendment, H-8161, to House File 2451 as  
2 follows:

3 1. Page 9, after line 12 by inserting:

4 <\_\_\_. Page 4, line 29, by striking <Water> and  
5 inserting <State-imposed water>

6 \_\_\_. Page 4, after line 32 by inserting:

7 <Sec. \_\_\_. NEW SECTION. 423G.3A Locally imposed  
8 water service tax.

9 1. a. A county that is not subject to subsection 2  
10 may impose a local water service tax at a rate of not  
11 more than one percent of the sales price from the sale  
12 or furnishing by a water utility of a water service  
13 in the state to consumers or users. The tax shall be  
14 imposed, collected, and administered in the same manner  
15 as the local sales and services tax in chapter 423B and  
16 sections 423B.1 and 423B.5 through 423B.10, consistent  
17 with the provisions of this chapter, shall apply with  
18 respect to the tax authorized under this subsection,  
19 in the same manner and with the same effect as if the  
20 local water service tax was a local sales and services  
21 tax within the meaning of chapter 423B.

22 b. The question of the imposition of a local water  
23 service tax may be submitted at the same election as  
24 the local option taxes authorized under chapter 423B  
25 and shall be stated on the ballot as questions to be  
26 voted on separately.

27 c. This subsection shall not be construed to  
28 require a county to impose a local water service tax  
29 if the question of imposing a local sales and services  
30 tax is approved at election.

31 2. a. If a city or county has in effect a local  
32 sales and services tax under chapter 423B on the  
33 effective date of this Act, that city or county shall  
34 impose on and after the effective date of this Act  
35 a local water service tax at the same rate as the

1 local sales and services tax on the sales price from  
2 the sale or furnishing by a water utility of a water  
3 service in the state to consumers or users. The local  
4 water service tax shall be imposed, collected, and  
5 administered in the same manner and with the same  
6 effect as the city's or county's local sales and  
7 services tax under chapter 423B and sections 423B.1 and  
8 423B.5 through 423B.10, consistent with the provisions  
9 of this chapter, shall apply with respect to the tax  
10 imposed under this subsection, in the same manner and  
11 with the same effect as if the local water service tax  
12 was a local sales and services tax within the meaning  
13 of chapter 423B.

14 *b.* The city or county shall within sixty days of  
15 the effective date of this Act amend its local sales  
16 and services tax ordinance to reflect the imposition of  
17 the local water service tax under this subsection.

18 *c.* The city or county shall continue to collect the  
19 local water service tax imposed under this subsection  
20 until such time as the local sales and services tax in  
21 effect on the effective date of this Act is repealed by  
22 the city or county.>

23 \_\_\_\_\_. Page 5, line 3, before <water> by inserting  
24 <state and local>

25 \_\_\_\_\_. Page 5, line 9, before <water> by inserting  
26 <state and local>

27 \_\_\_\_\_. Page 5, line 21, by striking <tax> and  
28 inserting <taxes>

29 \_\_\_\_\_. Page 5, after line 33 by inserting:

30 <1A. The director, in consultation with local  
31 officials, shall collect and account for a local  
32 water service tax and shall credit all revenues in  
33 the same manner as provided in section 423B.7. Local  
34 authorities shall not require any tax permit not  
35 required by the director of revenue.

1 1B. Subsequent to the deposit in the general  
2 fund of the state, the department shall transfer the  
3 revenues collected under section 423G.3A in the manner  
4 prescribed in section 423B.7, and when received by the  
5 board of supervisors or city council shall be deposited  
6 in a special fund created by the county or city and  
7 used by the county or city as provided in section  
8 423G.6A.>

9 \_\_\_\_\_. Page 5, line 35, after <amounts> by inserting  
10 <of the revenues collected under section 423G.3>>

11 2. Page 9, after line 15 by inserting:

12 <\_\_\_\_\_. Page 6, after line 14 by inserting:

13 <Sec. \_\_\_\_\_. NEW SECTION. **423G.6A Funding water**  
14 **quality projects.**

15 1. Moneys deposited in a special fund of a city or  
16 county pursuant to section 423G.6, subsection 1B, shall  
17 be used by the city or county only as provided in this  
18 section and only to support voluntary water quality  
19 projects and shall not be used for regulatory efforts,  
20 enforcement actions, or litigation.

21 2. Two or more cities or counties may enter into an  
22 agreement under chapter 28E to form an entity in order  
23 to carry out any water quality project authorized in  
24 this section.

25 3. Moneys in the special fund shall be used to  
26 support projects designed to improve water quality in  
27 the local area or watershed and shall be undertaken in  
28 a manner that advances implementation of the latest  
29 version of the "Iowa Nutrient Reduction Strategy"  
30 initially presented in November 2012 by the department  
31 of agriculture and land stewardship, the department of  
32 natural resources, and Iowa state university of science  
33 and technology. Such projects include but are not  
34 limited to the following:

35 a. A project meeting the requirements of a program

1 under chapter 16, subchapter X, part 2.

2 *b.* A project, operation, or practice undertaken  
3 or carried out to address watershed protection, flood  
4 prevention, or water quality improvement.

5 *c.* A project meeting the requirements of a sponsor  
6 project under section 455B.199.

7 *d.* A project for the installation of  
8 infrastructure, including conservation structures,  
9 practices, or other measures that reduce contributing  
10 nutrient loads, associated sediment, or other  
11 contaminants from sources to surface waters.

12 *e.* An edge-of-field project located on agricultural  
13 land, which may include a demonstration project,  
14 that captures or filters nutrients entering into  
15 surface water. Such a project shall be limited to  
16 infrastructure designed and installed for use over  
17 multiple years, including but not limited to wetlands,  
18 bioreactor systems, saturated buffers, or land use  
19 changes.

20 *f.* An in-field project located on agricultural  
21 land, which may include a demonstration project, that  
22 decreases erosion and precipitation-induced surface  
23 runoff, increases water infiltration rates, and  
24 increases soil sustainability. Such a project shall be  
25 limited to infrastructure designed and installed for  
26 use over multiple years, including but not limited to  
27 structures, terraces, and waterways located on cropland  
28 or pastureland, and including but not limited to soil  
29 conservation or erosion control structures or managed  
30 drainage systems.

31 *g.* A project located on urban land, which may  
32 include a demonstration project, that decreases  
33 erosion, precipitation-induced surface runoff, and  
34 storm water discharges and increases water infiltration  
35 rates. Such a project shall be based on the Iowa

1 stormwater management manual published by the  
2 department of natural resources.>>

3 3. Page 13, after line 16 by inserting:

4 <\_\_\_\_. Title page, line 3, after <exemption> by  
5 inserting <and providing for the use of excise tax  
6 revenues>

7 4. By renumbering as necessary.

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PRICHARD of Floyd